

14 May 1984

MEMORANDUM FOR: Director of Information Services

FROM: Chief, Classification Review Division

SUBJECT: Plans to Increase Systematic
Declassification Review at NARS

1. On 11 May 1984, Mr. Alan Thompson, Chief of the Declassification Review Division at NARS, provided Chief, CRD with copies of the Records Declassification Task Force Report dated 30 March 1984 (attached) and a letter from the Archivist of the United States concerning the implementation of the recommendations in that report (attached). The message that Mr. Thompson wanted CIA to have was that the resources devoted to the Declassification Review Program at NARS will increase by ten persons in FY 84, by another 20 persons in FY 85, and by still another 30 persons in FY 86. This will bring the Declassification Review Division at NARS up to 102 persons, which will dramatically increase the productivity of the NARS Declassification Review Program. How these additional resources will be used has not been decided. They might be used to review material requested by researchers, thus enabling NARS to widen the amount of material responsive to a researcher's request, or they might conduct a Systematic Declassification Review Program as they did in the past. In either case, these personnel increases will bring the program back to the levels employed during E.O. 12065 which will require additional support from other national security agencies. Mr. Thompson wanted CIA to be aware of the anticipated increases.

2. NARS does not review intelligence files until they are 50 years old, which means that they will not be reviewing such files for many more years to come. Nevertheless, there are many other files which contain information of interest to CIA. For example, the State files for the period 1950-54 contain information of interest to CIA. These are being reviewed jointly by State and NARS and they hope to complete this review by March 1986. If the review is not completed by that date, NARS plans to continue on its own to complete the review. They also hope that State will agree to continue the same arrangement for the files 1955-59. Some of the files from the 1950-54 period that remain to be reviewed and may contain information of interest to CIA are Department Log files such as one titled "The Embassy in Moscow," and another titled "Guatemala."

U-N-C-L-A-S-S-I-F-I-E-D

3. In the past when NARS had 100 employees doing systematic declassification review, it required teams of two or three CRD reviewers going one day weekly to NARS and to the Washington National Records Center to keep abreast of the work load. It can be expected that the same level of support will be required in the future. The Agency's policy has been that we want to review all information of interest to CIA. If we are to maintain this policy, we may have to increase the level of support to NARS over the next few years.

SK
Chief,
Classification Review Division

Attachments;
As Stated

STAT DDA/OIS/CRD/[] (14 May 84)

Distribution;


- Orig - Addressee w/atts
- 1 - RMD w/o atts
- ✓ 1 - CRD Liaison w/NARS w/atts
- 1 - CRD Chrono w/o atts

Date : 9 MAY 1984
Reply to : Archivist of the United States - N
Attn of :
Subject: Records Declassification Task Force Report
To : Assistant Archivist for the National Archives - NN
Assistant Archivist for Program Support - NA
Assistant Archivist for Presidential Libraries - NL

After carefully reviewing the report (copy attached) and recommendations of the task force on the records declassification program, I am directing that the following actions be taken with all due speed:

1. NN is to establish systems and procedures for maintaining accurate information on classified, accessioned holdings and on the classification status and level of projected accessions.
2. NN is to instruct all custodial units that security classification shall not be used as the sole factor for delaying the accessioning of permanently valuable records. Additionally, NN is to insure that there is continued close cooperation between NND and the custodial units in planning and executing declassification and archival projects which impact on the systematic declassification review program.
3. NN shall develop a plan for informing constituent groups of the series of records which will be systematically reviewed for declassification. The plan shall provide for informing such groups in sufficient time so that they have an opportunity to comment on the declassification plans.
4. NN is to work with EPSN to develop ways of attracting and maintaining a stable, productive workforce for the declassification program. Also NN should investigate the feasibility of hiring NND personnel with a Secret clearance and having them work only on records classified through the Secret level.
5. Working with NA, NN is to begin increasing staff resources in FY 84 with the objective of increasing the staff to 102 FTE in FY 86. NN shall request this level of resources in the FY 86 budget. A minimum of 10 positions shall be added to the NND staff in FY 84, and an additional 20 positions shall be added in FY 85. These increases are to be over and above the control totals for the Office of the National Archives.

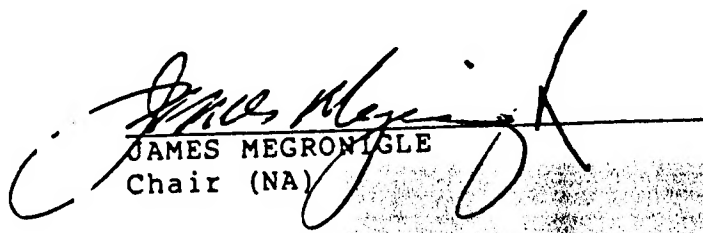
I would like to receive your plans for implementation of the above by May 18, 1984. I look forward to a re-invigorated systematic declassification review program and feel confident these actions will result in that end.


ROBERT M. WARNER
Archivist of the United States

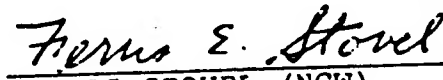


Date MAR 30 1984
Reply to Attn of Office of Program Support (NA)
Subject Records Declassification Task Force Report
To Archivist of the United States (N)

Attached is the task force report on the records declassification program. The report makes several recommendations designed to improve the program and eliminate the problems associated with staffing. Most important, however, is the recommendation to restore the program to its FY 1981 resource level to ensure that NARS meets its responsibilities under Executive Order 12356 to respond to special requests and to systematically make records available for research.


JAMES MEGRONIGLE
Chair (NA)


STEVEN GARFINKEL (Z)


FERRIS STOVEL (NCW)


RICHARD BOYLAN (NNME)

RECORDS DECLASSIFICATION

TASK FORCE REPORT

National Archives and Records Service

March 30, 1984

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Executive Summary

Background

The Task Force review focused on the records declassification program since 1980, with particular emphasis on ways to increase the amount of records reviewed for declassification and the program's ability to meet the requirements of Executive Order 12356.

Issues evaluated by the Task Force included 1) the backlog of records to be reviewed and the impact of future accessions; 2) policies relating to accessioning classified records and declassifying arranged versus unarranged records; 3) methods for establishing declassification priorities; 4) personnel turnover and staffing alternatives; 5) declassification procedures, organization and location; and 6) funding levels for the declassification program.

Findings and Recommendations

1. The task force found that NARS did not have complete information on the volume of material in NARS requiring declassification review. Consequently, a general survey was done which indicated that over 53,000 cubic feet or 133.9 million pages require review. The task force recommends that the information be kept up to date and that NND be informed when changes occur to permit realistic declassification program planning.

2. Policies relating to accessioning declassified records and the declassification review of arranged versus unarranged records were found to be inconsistent or not clearly defined. In some cases the declassification status of records affected the decision to accession them. Also past efforts to declassify records in advance of arrangement work created problems when subsequent arrangement negated much of the declassification effort. The task force recommends that a consistent policy be established in NN to preclude future problems.

3. Currently, declassification priorities are established based on staff judgment concerning anticipated research interest. The task force found nothing wrong with this but recommends that various methods be tried to involve constituent groups in the priority setting process so that NARS choices would be confirmed or appropriately modified.

4. Chronic personnel turnover and staffing problems are believed by the task force to be one of the most serious impediments to a stable, productive program. The task force recommends staffing alternatives that might allievate some of the problems of the past in future staffing efforts. These involve a mix of different appointments and the use of secret instead of top secret security clearances for some personnel.

5. The task force reviewed current procedures, the organization of the program, and the location of work primarily in Washington and concluded that no changes were necessary. While moving a major portion of the program to a more attractive employment area seemed desirable initially, there are simply too many problems to make it practical. The task force recommends that NND remain a separate division to continue to give the program the necessary visibility.

6. Current resource levels are clearly inadequate to enable NARS to meet the requirements of Executive Order 12356. The task force found that aside from the State Department project, which is two thirds reimbursable, very little systematic review is being done. The task force recommends that the resource level be restored to the FY 1981 level. This would permit at least 5 million pages to be declassified each year, which should be sufficient to meet research demand. A follow up evaluation of the program at the increased level should be made in FY 1988, to verify or recommend changes in the resource level.

Records Declassification Task Force Report

Background

On December 23, 1983, the Archivist established a task force to study the National Archives and Records Service (NARS) Records Declassification program. The purpose of the study was to make recommendations on methods for increasing the amount of records reviewed for declassification and on the appropriate resource level for accomplishing the increase. The task force consisted of James Megronigle (NA) (Chair), Steven Garfinkel (Z), Ferris Stovel (NCW), and Richard Boylan (NNMF). The task force review concentrated on the Records Declassification Program since the 1980 GAO study entitled "Systematic Review for Declassification of National Security Information--Do Benefits Exceed Costs?" In order to put the task force findings and recommendations in the proper context, however, the following is a brief history of the program and a discussion of recent issues and events leading to this review.

History of Program

Discussions were first held in 1970 among the representatives of the National Archives and Records Service, the State Department and the Defense Department on the subject of the declassification of records and making such records available for public use. The enormous volume of classified records, which mostly related to World War II, necessitated a change in the then existing procedures for declassification. The prevailing review process required that each page of material be examined, certified, and stamped individually. This method of review was too costly and time consuming given the volume of classified records created since 1940. Great Britain's announcement in 1971, that all except the most sensitive documents of that country through the end of 1945 would be open to the public also served to spur the U.S. to begin a systematic records declassification program.

Executive Order 11652, dated March 8, 1972, established this program. The guidelines generally required the review for declassification of all permanently valuable classified material in the National Archives as it became 30 years old. Executive Order 12065, dated July 28, 1978, replaced

Executive Order 11652, and required the systematic review for declassification of all permanently valuable classified material in the National Archives and other agencies as it became 20 years old. One exception was foreign government information which was to remain classified until it became subject to systematic review when 30 years old.

Shortly after the issuance of Executive Order 12065, GAO undertook an audit of the records declassification program. The draft report recommended that the Executive Order be modified to require that only those records be reviewed which are specifically requested by the public. This change according to GAO would improve responsiveness and save money without changing the policy of openness in Government. NARS found the following major shortcomings with the GAO report: (1) the failure to address adequately the benefit of the public policy of open government as a product of systematic review; (2) the conclusion that FOIA and mandatory review procedures of the Executive Order were adequate substitutes for systematic review; and, (3) the failure to consider alternative and less drastic solutions to the problems identified in the report before recommending abolishment of systematic review.

NARS agreed with GAO that there was little chance that systematic review for declassification of all 20 year old classified records would be completed according to the timetables of the Executive Order. NARS also revised its workload reporting system to capture data in categories suggested by GAO.

The final GAO report recommended that the Executive Order be modified to permit systematic review for declassification of those records requested by the public and those which the Archivist anticipated would be requested. The report also noted the effect that high personnel turnover had on the program. It took employees about two years to become proficient in doing declassification reviews and most of the turnover occurred within the two year period. A large part of the staff had to be constantly trained and have its work closely reviewed to ensure accuracy. This led to a decline in productivity. New staff members could not review any classified material until a Top Secret security clearance was obtained, which delayed filling vacancies by about four to six months. The GAO report identified 230 individuals granted Top Secret clearances of whom 211 either resigned shortly after beginning or transferred to other NARS divisions.

Table I shows the budget, staffing and workload accomplishments from the start of the program in FY 1973 thru FY 1983. Also shown are estimates for FY 1984 and FY 1985. It should be noted that no significant increase in resources was allocated to the program to meet the 20 year review requirement set by Executive Order 12065. The 1979 to 1980 increase was largely due to the allocation of Standard Level User Charges (SLUC) to the programs in NARS and did not represent a significant increase in the program dollars available. FY 1980 and 1981 did, however, represent the peak years in the declassification program. Approximately \$200,000 and 8 FTE in each FY in Table 1 are associated with the declassification of Presidential Library Materials.

Records Declassification Program Since FY 1981

Executive Order 12356 issued on April 2, 1982, attempted to correct some of the problems with Executive Order 12065 as addressed in the final GAO report. Under Executive Order 12356, NARS responds first to requests for records made under the Freedom of Information Act and the mandatory review provisions of the Executive Order. Remaining resources are devoted to systematic reviews for declassification of records utilizing executive department agency guidelines provided to the Archivist.

The overall program approach and the guidelines do not differ greatly from those in force under E.O. 12065 except: (1) the guidelines are for the systematic review of US and foreign government information in records 30 years old or older, and (2) there are a number of new categories of information identified for agency determination, such as counter intelligence/ counter-terrorism, protection of officials, confidential sources, space systems, ballistic missile defense information, and nuclear-powered surface ships or submarines.

These additional categories are the result of the change in subject matter content in the more recent records of the 1950's. Because these records are more difficult to review, the simple process of bulk declassification which so efficiently handled nearly half of World War II and many of the early coldwar records, is usually not possible. Consequently, most records created in the 1950's require page-by-page review and the incident of documents withdrawn

TABLE I - Records Declassification Program
 (Source: GSA Budget Digest and
 FY 1985 Congressional Budget)

<u>FY</u>	<u>Obligations</u> (<u>\$000</u>)	<u>FTE</u>	<u>Workload</u> <u>Pages Completed</u> (000's)		
1973	780	57	30,000		
1974	1011	83	45,542		
1975	1282	95	63,000		
1976	1281	101	56,500		
Transition Qtr.	432	24	12,500		
1977	1377	87	40,000		
1978	1519	97	38,300		
			<u>pages (pp)</u> <u>examined</u>	<u>class pp.</u> <u>examined</u>	<u>pp.</u> <u>declass</u>
1979*	1496	81	35,500	16,900	15,500
1980	2217	95	82,400	17,700	17,500
1981	2319	102	33,200	10,800	10,200
1982	1283	46	14,634	3,883	3,634
**reimbursable	162	16	101	58	53
1983	936	31	8,200	2,000	1,900
**reimbursable	310	16	1,700	1,000	900
est. 1984	910	37	2,500	1,300	1,100
**reimbursable	345	19	1,500	1,000	800
est. 1985	930	37	2,400	1,200	1,000
**reimbursable	359	19	1,500	1,000	800

*Funds for FY 1979 forward do not include the Information Security Program Oversight Office.

** All obligations, FTEs, and workload prior to FY 1982 were funded by direct appropriation--the reimbursable amounts are earned according to the terms of an agreement with the State Department.

from automatic release has more than doubled. Unlike Executive Order 12065, which required the systematic review of all older records, the directive implementing E.O. 12356 directs the Archivist to establish priorities for systematic reviews based on the degree of research interest and the potential for declassifying a significant portion of information. Therefore, those records of known and anticipated research interest are given first attention in the program for systematic reviews. Those records very frequently contain categories of information which potentially are of continued sensitivity and thus require very careful review and extensive coordination with agency subject matter experts. These require additional steps and the proportionately increased incidence of withdrawal of documents from the files effectively slows the rate of review. Most agree that the process has become progressively more difficult, due to the complexity of the material and guidelines.

Far and away the other major cause of the decline in the amount of records reviewed, however, is the decrease in the FY 1982 budget and the resulting reduction-in-force. The reduction-in-force required releasing employees in the order of their service time in government. Those with the least amount of service lost their jobs. The net result was that those programs whose staff had the fewest years of service were affected more by the reduction-in-force in comparison to those programs with staff with more years of service. The records declassification program was one such program that had a staff with relatively fewer years of service due to the higher turnover rate in the program. In establishing its budget cutting priorities, NARS decided not to adjust for this disproportionate effect of the reduction in force by shifting resources from other hard hit programs. As Table I shows, in FY 1981, the records declassification program used 102 FTE, 8 of which were in the Presidential Libraries, and in FY 1983, the first year to show the annualized effect of the reduction-in-force, the records declassification program used 31 FTE, 8 of which were in the Presidential Libraries. The picture is even more bleak since of the 31 FTE in FY 1983, 8 were committed to work on the State Department project as part of the agreement which accounts for the reimbursable earnings to pay for the 14 reimbursable FTE.

A true comparison of the program can be made by excluding the Presidential Libraries' FTE and reimbursable agreement committed FTE. This results in 94 FTE in FY 1981 vs. 14 FTE

in FY 1983. Of the 14 FTE in FY 1983, 7 are engaged in the review of records requested by researchers and to FOIA and mandatory review requests, 3 are engaged in program administration, management, and clerical activities, leaving only 4 to be engaged in systematic declassification review efforts.

This is the current state of the program which led to a letter from the White House calling for a speeding up of the declassification program, and continuing interest and criticism from the public including researchers and the American Historical Association. William P. Clark, who was then President Reagan's National Security Advisor, wrote on October 11, 1983 of the criticism the Administration has been receiving from the media, historians and others concerning the decline in the program for systematic declassification review of government records:

A well managed systematic review program, at the National Archives and Records Service, even if it requires somewhat increased funding, can be a much more cost efficient means to declassify historically valuable information than either Freedom of Information Act or mandatory review procedures. In addition, successful accomplishments in this review program will reflect well upon the National Archives and Records Service, the General Services Administration, and this Administration as a whole in keeping with the purposes of the President's Executive Order: to classify only that information requiring national security protection and to declassify any documents that do not require such protection.

Samuel R. Gammon, Executive Director of the American Historical Association raised his organization's concerns in a letter dated August 3, 1983 to the Information Security Oversight Office concerning the decline in systematic declassification review.

Of particular interest to us is the dramatic drop in systematic declassification reviews during the previous two years, which contrasts with the rising tide of mandatory review requests. Although the two functions are not integrally linked there is a connection. Our particular concern as historians and as tax payers is to the implication of declining systematic review. That means a steadily growing pile of classified papers and a consequent swelling budget for more four-drawer combination safes and bar-lock cabinets.

The concern of the American Historical Association is also shown in a statement on legislation concerning security classification which advocates many changes in the current security declassification system.

Most significantly, however, in a March 23, 1984 letter to the Director of ISOO, President Reagan specifically addressed systematic review as an aspect of the information security program most in need of attention. A copy of that letter follows this report.

The task force study of the records declassification program was based on the history of the program and these recent issues.

Task Force Review

The task force review focused on those issues which had a direct impact on NARS ability to comply with Executive Order 12356. These included 1) a determination of the backlog of classified records over 30 years old in NARS holdings and the anticipated future classified accessions, as well as the manner in which the information is maintained and used; 2) NARS policies relating to the accessioning of classified records and the declassification of arranged versus unarranged records; 3) methods for determining declassification priorities; 4) personnel turnover, alternatives for declassification staffing and clearance requirements, and their effect on staffing; 5) declassification procedures, and organization and location of the program; and 6) prospects for additional reimbursable projects and funding levels for a declassification program that meets the goals of Executive Order 12356.

The following sections outline these issues, and discuss the findings and recommendations concerning them.

Findings and Recommendations

1. Workload Assessment

The task force review indicated that NARS did not have very good control over data concerning either the classified holdings currently in NARS custody or very good estimates of the volume of classified materials to be expected in future accessions.

For over 11 years the Records Declassification Division (NND) has made various attempts to identify the universe of material requiring declassification attention. Continuous changes in the records holdings of the custodial units, however, have often made obsolete the information generated. NND, starting in 1983, annotated all NARS A-1 printouts for classified or formerly classified material, thereby gaining administrative control over records described at the A-1 level which have been accessioned by NN and which either have been declassified or will require declassification review action.

The A-1 system, however, only covers 40% of NN's holdings. Because the A-1 data were incomplete, the task force requested that NND and the custodial units holding classified records survey those records not covered by A-1. Although the task force requested that the survey not attempt to locate every series, the various units were able to generate information on the declassification status of all NN accessioned records. The results of the survey are contained in the appendix. The estimated volume of material in NARS custody over 30 years old which must be examined is over 53,000 cubic feet or 133.9 million pages.

With regard to future accessions, during the next 30 years NN regions will probably accession some 400,000 cubic feet of records. Based on current FRC holdings in the regions, 50 percent of the permanently scheduled records are U.S. District Court and U.S. Court of Appeals records. Another 20 percent are Bureau of Land Management, Forest Service, Bureau of Reclamation, Federal Highway Administration, and National Park Service. So approximately 70 percent of the records should not contain any classified information. Where a classification problem might arise would be in such records as the U.S. Coast Guard (5%), Army Commands (4%), Air Force Commands (3%), Army Corps of Engineers (3%), and the Atomic Energy Commission (2%). Only a small portion of these will be classified. Presently the amount of material classified and scheduled as permanent in the regions is negligible, 2.5 percent of regional holdings. If 13,000 feet are taken in annually by the regional archives, at most 325 feet will be classified. This amount will not burden regional operations.

The Central Office situation, however, is different. During the next 30 years NN Central Office will probably accession 728,000 cubic feet, or over 24,000 cubic feet a year. With 25 percent of the permanently scheduled records in the WNRC classified, one could estimate that 25 percent of the permanent records accessioned will be classified. If that is the case, 6,000 cubic feet a year will be classified. This influx will have a substantial impact on workload.

Recommendation 1

All future A-1 input should also be annotated to include declassification status. NN should revise GSA form 6710A to include in the lower right corner a block to be checked if classified information is present. NN should issue an instruction to unit heads to notify NND of all classified accessions, accretions, transfers, disposals, reallocations, or other actions, such as planned future accessions--whether scheduled or deferred, so that NND can monitor data on future declassification work to be performed. Absent constant adherence to such a policy, NND will not be able to maintain control of the information necessary for efficient planning and operations.

2. Policy Issues

While the volume of classified material in NARS custody over 30 years old as well as what can be anticipated in future years presents the greatest problem for NARS in carrying out its responsibilities, other policy related issues appear to be causing some problems. The first relates to accessioning policy. The task force found that there is no consistent policy among the NN custodial units for accessioning classified records. Some units, accession records based solely on a determination of permanent value. Others also consider whether the files can be declassified under existing guidelines. Still others, do not normally accession classified records. NARS is responsible for accessioning permanently valuable records when they become 30 years old. If they are permanently valuable, their classification should not be relevant.

An inconsistent policy regarding accessioning hinders NND planning, and will make it difficult to determine an appropriate level of resources to address both the current and future workloads.

The second problem relates to declassification policy with regard to unarranged records. In the past, when NND had a large staff, records were reviewed for declassification irrespective of whether they had been arranged. The results of this practice were often costly. Some records later determined to be disposable were reviewed. Some were later rearranged in an order not reflected in declassification project review sheets, sometimes to the extent that all declassification control was lost. Intermixing documents from two or more declassification projects in a single box also mandated that every folder be stamped with the appropriate declassification project number as opposed to just simply to labeling the box itself with the single NND project number. NND can precede custodial units, but only when files are relatively homogeneous and the amount of rearrangement to be done minimal. Custodial units, of course, would retain the final responsibility for determining what unarranged files NND may review. A minimal expenditure of effort at the outset would save NND literally hundreds of hours at a later date.

Recommendation 2

NN should accession records based solely upon a determination of permanent value, and not refuse to accession records because they are classified. NND should undertake systematic declassification review on unarranged records only after consultation with the appropriate custodial unit and after examination of the records to determine the degree of arrangement required.

3. Records Declassification Priorities

The GAO audit of the records declassification program in 1980 concluded that NND should only review on a systematic basis those records requested by or likely to be requested by researchers. Similarly, EO 12356 mandated that research interest be given priority consideration in determining systematic classification review projects. Given that the sheer volume of material precludes declassification of all records over 30 years old systematically, researcher demand should be the primary determinate in scheduling declassification review.

Methods of determining researcher demand vary widely. NND monitors usage of record groups of specific series via the FOIA/Mandatory/Special Logs; the NN staff, using different methods in different units, tracks researcher demand via reference service slips, and conversations and correspondence with researchers; and the staff generally keeps abreast of researcher trends through professional contacts. The primary ingredient in all of these has been and continues to be the judgment of the NARS professional staff. It might be possible, with the expenditure of many staff hours, to develop a more objective method. At this point, however, we do not believe that the results would differ significantly from current procedures for developing such planning information.

While we do not question the method, there are ways to verify the choices. It should be noted that the appraisal task force also addressed "researcher interest". That task force, while not disputing the priorities set by the professional staff, noted that it might be worthwhile to run a test to attempt to quantify interest and then to compare the results with the impressions held by the staff. If such a test is run it should incorporate declassification project planning priorities as presently developed.

Constituent groups have frequently expressed interest in the declassification process and could provide advice on researcher demand/interest to be used in setting priorities. NN could seek the opinions of the NARS constituency in determining future priorities. For example, printing the NND yearly declassification priorities plan in Prologue and inviting reader reaction to it could be one means of increasing public comment and participation. Because of the Prologue publication schedule, however, this would have to be done far in advance of the beginning of the year. It would address the concerns of some that NARS is insufficiently attuned to the interests of researchers and would do so in a manner that was inexpensive in terms of distribution of information and collection of responses. NARS could also submit declassification priorities to the NARS Advisory Council for consideration and comment. The Council represents a broad spectrum of archival interest and is a resource which could be helpful in determining priorities.

While researcher interest is the primary concern, it is not the only concern in establishing declassification priorities. Other factors include anticipated project work and

preservation. Either of these elements can influence declassification project choices or delay them. Project work is a substantial investment and a questionable one if declassification prospects are dim. Similarly, records may have to be reviewed for declassification before proper preservation treatment is practical. While not major concerns, these are element, which should be evaluated during the process of setting declassification priorities.

Recommendation 3

NN should use readily available means to obtain constituent consideration and comment on NARS established priorities. NARS should not place itself in the position of establishing its priorities in a vacuum. Other factors such as scheduled project work and preservation should also be considered.

4. Personnel Turnover and Staffing Alternatives

One of the most significant problems that has plagued the records declassification program since its inception has been the inability to recruit, train, and hold employees. The turnover rate has been very high. No sooner have employees been hired, cleared for Top Secret access, trained and gained the necessary experience than they are gone, either to other jobs in NARS or to other agencies. Some have found other jobs while waiting for their clearance.

The problem is both a matter of grade and career advancement opportunity, and one of tedium and boredom of the review work itself. NND was never successful in maintaining its staffing close to the authorized level due to the lead time required to obtain security clearances and the high turnover. Any attempt to increase the overall declassification effort is not only a matter of additional funds and FTE authorization. Staffing problems and clearance procedures must also be addressed to find viable alternatives to the traditional employment efforts of the past decades.

In its review of the issue, the task force concluded at the outset that staffing the declassification program with borrowed staff from the NN custodial units was not the answer. No increase in staff or funding can or should come at the expense of the other NN units. NND should hire and train its own staff. Traditionally the staff has been made up of full-time permanent employees. Other sources such as

reemployed annuitants, or part-time or intermittent appointments have not normally been used. Reemployed annuitants are one personnel source that has the potential for being of particular value to NND. If retired from agencies whose records are under review by NND, these employees could also provide expertise gained from their years of experience. This arrangement has already worked well at State, CIA, and NSA. There are problems with the annuitant approach, however. The first problem is that there is little or no financial incentive. The second problem is attracting the right people. Unless these people have a great deal of leisure time and interest in the files on which they would be working, there is little likelihood that they would be interested in being reemployed. Also, annuitants who spent their careers in the excepted service are ineligible for competitive positions unless they are on the OPM registers.

Therefore, annuitants may not be interested in working many hours and may be difficult to recruit. Their potential value, however, is sufficiently great that their employment should be pursued to fulfill at least a small portion of the NND staffing needs.

In addition, intermittents and part-time employees have been used with success in other part of NARS, particularly in the records center program. The difference in the records declassification program is that they would often be used on tasks requiring a higher degree of skill and training than is required in other parts of NARS. NARS would need to recruit persons who are interested in a less than full-time job over a period of years. One such group might be students. Another might be parents seeking to reenter the job market while children are in school. Another might be people retired from the private sector who would like to supplement their income or who would enjoy working with historical documents. Another group might be selected ex-NARS employees.

Annuitants, part-timers, and intermittents all might work out well as NND employees. While no one type will solve all NND needs, NARS should explore alternate staffing arrangements since we will most certainly continue to face the staffing problems that we have had in the past, namely high turnover and high attendant costs. Because we do not know how well the suggested staffing arrangements would work, NARS could experiment with them for a year. At the

end of that time NN could evaluate the results and determine what employment method worked best, and similarly what targeted groups of potential employees worked best. NND could then further refine its staffing practices to achieve the best mix.

By experimenting for a year, limited temporary appointments could be used which would facilitate initial recruitment. This would allow NND to try alternate staffing with a minimum of time lost both to heavy paperwork requirements and to waiting for Office of Personnel Management (OPM) action.

Another impediment in the hiring process is the clearance requirement. At present Top Secret clearances cost \$1,450 and take the Office of Personnel Management from three to nine months to process. An expedited clearance costs \$1,900 and should (but rarely does) take one to two months. Secret clearances have no charge and take about one to two months. The time lag from when a vacancy occurs to when it is filled with a cleared person under current procedures ranges from five to eleven months. There is little that we can do about the OPM clearance lag. A possible alternate method of bringing people on board would be to obtain only a Secret clearance initially, eventually to be followed by a Top Secret clearance. Lessening the time that vacancies remain unfilled would allow NND to increase its output at least to a small degree.

There are problems with this approach, however. Most files are not neatly broken into Top Secret, Secret, and Confidential sections. They are usually intermixed. Therefore, the files on which Secret-cleared employees could work is limited. Second, there may need to be some segregation in work areas. Finally, researchers are often most interested in the highly classified files which therefore must be given priority declassification consideration. As with the other staffing alternatives, however, an experiment with initial Secret level clearances would be worth the effort.

Recommendation 4

A. The NND staff should be a mix of permanent FTE and other types of appointments, with permanent FTE constituting the single largest group. A majority of full time employees is needed to ensure consistency and expertise in the program. In many instances the best qualified people would be willing to work full time only.

B. NARS and GSA should contact OPM to revise the policies regarding the few-of-a-kind register used to recruit archives technicians. The present OPM policy is to keep that register closed. The result has been OPM developed lists that are hopelessly out of date. Persons are no longer available even though their names appear on the list. And still others whom NND would like to hire permanently, such as term employees presently on the State Department review project who have proven themselves to be good workers, cannot be reached for permanent positions because the list is closed. Any full-time permanent staffing increase in NND must be preceded by an opening of the few-of-a-kind register and by conversion of the best qualified State Department Project people to permanent FTE. Unless NND could use these State Department project staffers as team leaders and as trainers, they could not manage a greatly increased staff.

C. Finally, NARS should experiment with bringing NND personnel on board with a Secret clearance, structuring the NND work and work areas to accommodate such an arrangement, and filing for Top Secret clearances when the employees finish their first year in NND or at some other appropriate time.

5. Procedures/organization/location

The task force reviewed the basic NND operating procedures, the organizational arrangement, and the location of the program in Central Office and Presidential Libraries.

A. Procedures

Aside from continuing to emphasize the use of meaningful critical elements and performance standards, there is little that can be done to impact productivity. Improved declassification productivity is generally a factor of experience and training. Addressing the turnover question will do more for productivity than any procedural change. Basically the material now under review requires a page-by-page review involving the application of complex guidelines. It is very labor-intensive and will remain so. Bulk procedures are used where possible but the opportunities to use this technique are diminishing. The emphasis should be placed on keeping staff, thereby taking advantage of experience and training.

Recommendation 5A

Continue to emphasize employee performance but do not institute any major work process changes.

B. Organization

The GAO report recommended that the bulk of declassification responsibility be delegated to the custodial units. Arguments offered in support of this proposal included the assertions that this would solve the high turnover problem and that the custodial units, being most familiar with the files, are most qualified to review them.

Although both of these arguments have merit, the arguments for a separate status are stronger. Declassification, like preservation, finance or personnel, is a function with its own set of unique policies and practices. Although others may learn these rules, efficient and effective application of them is best achieved by persons who are well schooled and practiced in them.

Further, the declassification guidelines and their interpretations are constantly changing. The only way to ensure that all staff members doing declassification work apply the rules uniformly, and that they make the necessary changes and corrections that are mandated over time, is to have a single authority directing this activity. Split up among the custodial units, this uniformity could not be achieved without a substantial increased investment of resources and the danger of inconsistent or erroneous declassification review determinations.

More important, however, is the nature of the declassification task. NND constantly determines whether national security classified material may be opened to the public. Even allowing for considerable over-classification and for a large percentage of it having been made innocuous by the passage of time, there remains a body of information with continuing sensitivity. The National Archives, if it is to serve national security and the public interest and if it is to retain the confidence of other agencies as a custodian of sensitive information, must ensure that mistakes are minimal. Again, a single unit is the best way to ensure that this goal is achieved.

Relations with other agencies are also important. If we are to receive meaningful guidelines from them and if they are to provide us with required liaison support, we must demonstrate that we are protecting their interests. The best way to do this is to present these agencies with a single, central, strong, informed unit enforcing careful and thoughtful implementation of the guidelines within NARS.

Finally, since resources are already minimal, we do not want to further dilute them. If the NND staff were broken up among the various custodial units, the chances of those resources being diverted to other tasks would increase dramatically. Also, having the function distributed among the custodial units would lessen the visibility of the program.

Recommendation 5B

NND's substructure is currently being realigned to reflect the current level of effort. This substructure may need to change if additional resources are put into the program but NND could remain a separate unit.

C. Location

The declassification effort is currently located in the Archives Building, the Washington National Records Center in Suitland, the regional archives branches, and the Presidential Libraries. We carefully reviewed suggestions that a major portion of the effort be relocated out of Washington to a more favorable employment area in order to facilitate the staffing alternatives discussed earlier. We concluded, however, that there were too many problems associated with this concept.

Shipment of records to the regions for the purpose of declassification would be ill advised. First, the costs of preparing classified documents for shipping back and forth would be very high. Second, only if declassification was a static, easily defined process would there be some merit in this suggestion. However, as was noted earlier, guidelines and interpretations keep changing. Training archives branch chiefs and their staffs in the process and application of declassification guidelines (which is itself a classified activity) and keeping them up to date (which also is a classified activity) would

be cumbersome and costly. It would hamper productivity as well as the accuracy and consistency of the product. The archivists in the regions are doing some declassification, but only in small amounts of carefully selected materials.

Third, questions requiring input from originating agencies arise almost daily. Many can be handled only in person. Therefore records would have to be reshipped to NND, coordinated with the agency in question, a reply drafted, and the package reshipped to the region.

Finally, by coordinating the review of potentially sensitive records with agency representatives, NND can declassify many documents that otherwise would have to be laboriously listed and withdrawn. This capability would be diminished if records were to be shipped to the regions. Documents would have to be withdrawn and returned to Washington for agency coordination by NND. Withdrawn documents subsequently declassified would then have to be refiled. This process would increase the cost of declassification per page more than ten-fold. The added handling would also tend to increase the chances of damage to the documents.

The task force felt that these disadvantages far outweighed the possible advantage of a more favorable employment area.

Recommendation 5C

NARS should continue to conduct all declassification review on records scheduled for permanent retention in the Washington, D.C. area or wherever those records are presently housed.

D. Presidential Libraries

The task force also reviewed the records declassification program in the Presidential Libraries. NARS staff for handling declassification review in the Presidential Libraries is sufficient and should be maintained at present levels.

Neither the Hoover nor Eisenhower Libraries present a problem. One staff member assigned to the Truman Library is able to handle the systematic review workload. Four staff members assigned to the Eisenhower Library are able to

handle both the systematic and the mandatory review workloads. At the Kennedy and Johnson Libraries between two and three staff members are assigned to handle the mandatory review workload. This staffing level is sufficient to keep pace with the volume of records being processed. There are significant backlogs of records requiring preliminary review, however, in both of these libraries and also in the Nixon, Ford, and Carter organizations. These backlogs will be addressed systematically as the classified information becomes thirty years old and resources in older libraries are shifted.

It should be noted that the Presidential Libraries often have to send records undergoing systematic review to Washington to NND to coordinate final agency review. It is manageable because of the low volume thus far involved. No one involved in this process, however, would like to attempt such coordination on the large scale which relocation of major declassification projects would entail.

Recommendation 5D

As long as the size of the processing staffs in the Presidential Libraries are not increased, the declassification program in Presidential Libraries should remain unchanged.

6. Resource levels and funding

Given the backlog of classified materials, the present level of effort, and the declassification process itself, the task force concluded that there was no simple solution to increasing declassification output. More resources would have to be put into the program either by direct or reimbursable funding. Any increase in funding, as mentioned earlier, should not come at the expense of other NARS programs. The two outstanding questions concern an appropriate mix of reimbursable and direct funding and the level of declassification effort in NARS.

Reimbursable funding is entirely dependent on the desire for such reviews by outside agencies. NARS should continue to seek reimbursable agreements for its declassification program but must recognize that the likelihood of success is small.

NND, of course, has experience with reimbursable funding. The State Department agreement of 1982 provided funding but also required NARS to commit FTE to the project. NND has pursued similar funding arrangements with other agencies. At present, only the Agency for International Development (AID) is following State's lead and is likely to conclude an agreement. Although many other agencies have been contacted, no others have shown an interest in a reimbursable agreement. If the records are already accessioned, NARS is unlikely to obtain reimbursable funding for their declassification review. The only leverage we have is to defer accessioning pending completion of declassification. Agencies could rightly say "it's your job NARS, you do it" and we have already discussed and recommended a consistent accessioning policy which would disregard declassification requirements as a consideration in acceptance of permanently valuable records.

Although reimbursable agreements would have distinct benefits for NARS, NARS most likely will have to commit some FTE to the projects as with the State Department declassification review project, where one third of the effort is funded by NARS. So the issue returns to the question of increased direct funds even when opportunities for reimbursable projects do arise.

There are many problems associated with an increase in direct funding for the declassification program. The first is determining the appropriate level. The task force had a difficult time trying to get a good estimate of the workload. Once obtained, it was obvious that a level of resources capable of handling all of the backlog and keeping current with new accessions was simply not feasible nor desirable in light of past criticisms of that approach. The level should be based on anticipated researcher demand while continuing the present level of effort to respond to FOIAs, mandatory reviews and "special" reviews for a limited number of records immediately helpful to researchers in contact with custodial units.

The task force was not able to decide on a long-term resource level and instead decided to recommend a resource level that would enable NARS to meet a declassification target that would most likely meet known researcher demand.

That target is believed to be about 5 million pages declassified a year. The resource level required to meet it would approximate the FY 1981 program level of \$2.4 million in 1981 dollars and 102 FTE, or more than twice the current level.

The second problem relates to the method for obtaining an increase in resources. The first opportunity to formally request a funding increase in the regular budget cycle is the FY 1986 budget which will be formulated beginning in April of this year. The more immediate concern, however, is what to do in the remainder of FY 1984 and 1985. Any increase in staffing will take time to accomplish so the funding increase in FY 1984 would be minimal. Also from a practical standpoint the staff cannot be more than doubled all at once. Adding additional resources to NND should be done gradually. NND is not staffed to train many new people without adverse impact on the present level of effort. Declassification priorities need to be established as well. Therefore the balance of 1984 should be used to put new employment and staffing procedures in place, to recruit for approximately 10 new staff members, and to establish a declassification work plan reflecting the anticipated increased level of effort. If additional personnel limitation or resources are needed in FY 1984, they could be made available from the NARS reserve held by GSA.

The recruiting effort would continue in FY 1985 with the objective of reaching the new staffing level by the beginning of FY 1986. FY 1985 funds for the program could be requested in a FY 1985 supplemental or failing that reprogrammed from the FY 1985 funds earmarked for the same purpose as the FY 1984 funds now held in reserve. If a personnel funding limitation is imposed in FY 1985, an increase would also be requested to cover additional declassification positions. Projects planned with reserve funds could be deferred until FY 1986 and repaid when full 1981 level declassification funds are available.

Recommendation 6

A. NN should begin developing specific FY 1985 (supplemental) and FY 1986 Records Declassification budget proposals to restore the program to its FY 1981 level. The specific FTE and fund request should be developed by NND in conjunction with NAB.

B. NN should also establish a yearly records declassification target beginning in FY 1985 that will meet reseracher demand and identify in the annual work plan the projects to be accomplished.

C. NN should work with EPSN to develop recruiting strategies using a mix of appointments and sources of employees with a goal of 10 new hires by year end. Additional personnel limitation and funds will be arranged if needed by NA.

After 2 years, in FY 1988, the program should be reevaluated to determine if other changes need to be made.

APPENDIX

NARS HOLDINGS REQUIRING
DECLASSIFICATION REVIEW

Listed are the record groups that the custodial units and NND identified as containing classified information. Following the record group is the estimated footage requiring attention by NND. For all record groups with 500 cubic feet or more we have indicated whether the records can be bulk reviewed, require page-by-page review, or require a combination of the two.

<u>Record Groups</u>	<u>Cubic Feet</u>	<u>Over 500 Feet</u> <u>Bulk</u>	<u>Page-by-Page</u>
RG 16	577	100%	
RG 18	3		
RG 24	125		
RG 26	2		
RG 27	6		
RG 38	808	25%	75%
RG 43	30		
RG 46	250		
RG 48	30		
RG 49	3		
RG 51	840	95%	5%
RG 56	7		
RG 57	15		
RG 59	900		100%
RG 60	3032	100%	

<u>Records Groups</u>	<u>Cubic Feet</u>	<u>Over 500 Feet</u>	
		<u>Bulk</u>	<u>Page-byPage</u>
RG 65	3		
RG 71	160		
RG 72	600		100%
RG 76	1		
RG 77	290		
RG 80	154		
RG 84	149		
RG 92	100		
RG 128	3		
RG 129	580	100%	
RG 153	100		
RG 156	1300	75%	25%
RG 159	36		
RG 166	24		
RG 169	20		
RG 174	121		
RG 175	190		
RG 178	100		
RG 181	100		
RG 188	100		
RG 200	1		
RG 202	62		
RG 211	588	100%	

<u>Records Groups</u>	<u>Cubic Feet</u>	<u>Over 500 Feet</u>	
		<u>Bulk</u>	<u>Page-byPage</u>
RG 216	37		
RG 218	9		
RG 219	2		
RG 220	342		
RG 226	500		100%
RG 250	120		
RG 269	20		
RG 273	75		
RG 278	43		
RG 313	11300	75%	25%
RG 319	6000		100%
RG 326	4		
RG 330	1000	75%	25%
RG 331	1250	75%	25%
RG 333	26		
RG 334	91		
RG 335	1515	50%	50%
RG 337	500	100%	
RG 338	13700	75%	25%
RG 340	1400	75%	25%
RG 341			
RG 349	68		
RG 351			

<u>Records Groups</u>	<u>Cubic Feet</u>	<u>Over 500 Feet</u>	
		<u>Bulk</u>	<u>Page-byPage</u>
RG 359	580		
RG 374	24		
RG 389	95		
RG 407	170		
RG 429	281		

Total cubic feet	53,559
Total pages	133,897,500

Not included in the above list are intelligence files from Record Group 319, Records of the Army Staff files (7680 cubic feet) and from Record Group 341, Records of Headquarters U.S. Air Force (600 cubic feet), which are not liable for declassification action until they are 50 years old. Similarly, Record Group 260, Records of the U.S. Civil Administration, Ryukyu Islands is not listed because it cannot be considered for declassification until the files are 30 years old (that is, after 2002) because of difficulties in a filing system that freely intermixed records created between 1945 and 1972.

Also, not included in the record group totals is microfilm which likewise should not be considered part of the declassification backlog. Because of the amount of time required to review each reel (over 30 hours) microfilm should be reviewed for declassification only in response to researcher requests. The major blocks of reels are in the following record groups:

RG 18 - 630 reels

RG 319 - 1340 reels

RG 331 - 3,000 reels

RG 338 - 12,555 reels

The custodial units and NND will probably identify additional large blocks of records that should not be considered for declassification when they examine the classified holdings in greater detail.

Type of Materials

- I. Records created before December 7, 1941:
 - A. Most have been declassified; any that remain probably could be bulk declassified.
 - B. Have a few problems with FBI and intelligence
- II. Records created between December 7, 1941 and December 31, 1945:
 - A. Majority have been declassified; majority of remainder could be bulk declassified
 - B. Incidence of security-classified is widespread and found in most record groups containing records for World War II
 - C. Have not yet accessioned some major files for this period (Justice, FBI, Army Air Forces, some major Navy files, early DOE labs, etc.)
 - D. Have a few categories requiring page-by-page review:
 1. intelligence and cryptology
 2. Allied information (British)
 3. special weapons
 4. chemical and biological warfare
 5. escape and evasion
 6. cover and deception
- III. Records created after December 31, 1945:
 - A. ISOO directive No. 1 prohibits declassification of intelligence and cryptological files until they are at least 50 years old
 - B. Contain many documents from international organizations (UN, NATO, SEATO, CENTO, etc.) for which we have no declassification authority.
 - C. Contain documents with foreign government information and are not yet 30 years old.
 - D. Documents contain higher incidence of RD and thus cannot be declassified by NARS.
 - E. Major guidelines (State, DOD, and CIA) are at a 30-year line.
 - F. Guidelines have become much more precise, voluminous, and difficult to apply. Contain a number of new categories requiring exemption.
 - G. Documents contain a variety of information from a variety of government agencies, thus causing the use of several guidelines (most common is State-DOD-CIA) to declassify one document.
 - H. Some records of the 1945-1950 period have been accessioned and declassified; but the majority of records for the 1950s have yet to be accessioned.

THE WHITE HOUSE

WASHINGTON

March 23, 1984

Dear Mr. Garfinkel:

I was very pleased to review your FY 1983 Annual Report and to learn that the system we have established under Executive Order 12356 to provide better protection for national security information without excessive classification is working. While we anticipated that the revised information security system would improve credibility and efficiency of the program, its success is also dependent upon the outstanding oversight efforts of you and your staff and the thousands of other persons throughout the executive branch who are dedicated to making it work. Please convey my appreciation to all those whose efforts made these achievements possible.

I ask for the same commitment in the future to improving our performance even more. We must continue to insure that information is being classified only when this extraordinary protection is necessary; that those entrusted with access to national security information appreciate the seriousness of their responsibility to safeguard it; and that systematic review and other declassification efforts are made in accordance with the order's goal of making information no longer requiring security protection available to the public.

I trust that you and your staff will continue to work with responsible officials throughout the Government to address these and other issues.

relate to the administration of the information security program. I look forward to future reports on the progress that has been made as a result of these efforts.

Sincerely,

Ronald Reagan

Mr. Steven Garfinkel
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